

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

REYNALDO AYALA,

Plaintiff,

v.

ROBERT AYERS, JR., et al.,

Defendants.

No. C 10-0979 JSW (PR)

**ORDER LIFTING STAY,
DISMISSING A DEFENDANT,
AND SETTING DEADLINES**

This is a pro se section 1983 civil rights action filed by a prisoner at San Quentin State Prison. On September 22, 2011, the Court denied the motion to dismiss filed by defendants Faria, Wagner, Guthrie, and Schlosser and Hansen, granted the motion for summary judgment of defendant Coleman, and referred the case to Magistrate Judge Nandor Vadas for mediation. One defendant, Edmonds, had not been served; Plaintiff was ordered to provide within thirty days an address at which he could be served. All proceedings in the case except those related to the mediation and matters related to the service of Edmonds were stayed pending mediation. A motion for leave to file a motion to reconsider filed by Defendants was subsequently denied as having been filed in violation of the stay.

Judge Vadas reports that the case did not settle. The stay is LIFTED. Plaintiff has not provided an address for Edmonds; the claims against Edmonds are DISMISSED without prejudice.

If Defendants wish to renew their motion for leave to file a motion to reconsider, or if Plaintiff wishes to move for appointment of counsel because the case may be tried,

1 the deadline for doing so is thirty days from the date this order is entered. An opposition
2 or statement of nonopposition to any such motion shall be filed within fourteen days of
3 the date the motion is served and filed, and if any party desires to file a reply, it is due
4 within seven days of the date the opposition is served and filed.

5 **IT IS SO ORDERED.**

6 DATED: December 8, 2011

7 
JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

REYNALDO AYALA,
Plaintiff,

Case Number: CV10-00979 JSW

CERTIFICATE OF SERVICE

v.


ROBERT AYERS JR et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 8, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Reynaldo Ayala
E10000
San Quentin State Prison
San Quentin, CA 94974

Dated: December 8, 2011


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk